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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,326	12/31/2001	Yukio Sawajiri	SAWAJIRI=2	4583

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EXAMINER

HO, THOMAS Y

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 10/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,326

Applicant(s)

SAWAJIRI ET AL.

Examiner

Thomas Y Ho

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Election/Restrictions

Claim 11 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 7.

Specification

The title of the invention is not descriptive in accordance with the invention disclosed by applicant. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --Reinforced Vehicle Door Latch Striker--, or any title of the like which is appropriate.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "vehicle body" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. It is unclear what applicant discloses as a “caulking flange”. Caulking is a term generally used to describe compounds for filling joints and sealing cracks, commonly made of silicone, bituminous, acrylic, or rubber-based material. It is unclear how this relates to the structure of the disclosed invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Meritor Light Vehicle Systems Ltd. GB2336178A.

As to claim 1, Meritor Light Vehicle Systems Ltd. discloses a striker comprising:

- A longitudinal plate-like metal base 12 to be fixed to a vehicle body.

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- A U-shaped metal engaging member 16 including a first leg part 18, a second leg part 20 which is in parallel with the first leg part 18 (pg.2, 2¶), and a front connecting part 22 which connects a front end of the first leg part 18 and a front end of the second leg part 20.
- Each of said first leg part 18 and said second leg part 20 having, at rear end thereof which projects on a rear side of the base 12 through a mounting hole of the base, a rear caulking flange with a larger diameter than that of the mounting hole to be engaged with a rear surface of the base. Meritor Light Vehicle Systems Ltd. discloses that the member 16 is riveted to the base 12 through holes 14 (pg.2, 5¶). It is commonly known that rivets form rear flanges with a larger diameter than the hole into which the rivet is inserted to prevent withdrawal. It is also seen that the member 16 disclosed by Meritor Light Vehicle Systems Ltd. also has a flange against the top surface of the base 12 (fig.1).
- Said first leg part 18 having, at a front side portion thereof, a latch engaging part 22 which is engageable with an engaging recess of a latch of the vehicle door latch device. Meritor Light Vehicle Systems Ltd. discloses a first leg part 18 having a front portion that engages the latch through the intermediary member 22. Furthermore, any portion of the apparatus can possibly be engageable with some kind of latch, and where the latch engages is intended use, and bears no significance on the structure of the striker. Therefore, this claim limitation does not hold patentable weight .
- Said first leg part having, at a rear side portion thereof, a reinforced large diameter part with a larger diameter than that of the latch engaging part.

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- Said reinforce large diameter part being positioned on the front side of the base 12.
- Wherein a length of said reinforced large diameter part being 20% or more of the length of the first leg part 18.

As to claim 2, Meritor Light Vehicle Systems Ltd. discloses a striker wherein:

- Said second leg part 20 has the same shape as said first leg part 18. If both diameters of the thicker parts of the limb are equal in ratio to the same part 22, they must be of equivalent size and shape (pg.3, 1¶).

As to claim 3, Meritor Light Vehicle Systems Ltd. discloses a striker wherein:

- Said latch engaging part 22 has the same diameter as said front connecting part 22 (pg.6, claim 8).

As to claim 4, Meritor Light Vehicle Systems Ltd. discloses a striker wherein:

- A tapered part is provided between said reinforced large diameter part and said latch engaging part.

As to claim 5, Meritor Light Vehicle Systems Ltd. discloses a striker wherein:

- Wherein the length of said reinforced large diameter part is 25% or more of the length of said first leg part 18.

As to claim 6, Meritor Light Vehicle Systems Ltd. discloses a striker wherein:

- Said second leg part 20 has the same shape as said first leg part 18. If both diameters of the thicker parts of the limb are equal in ratio to the same part 22, they must be of equivalent size and shape (pg.3, 1¶).

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- Said latch engaging part 22 has the same diameter as said front connecting part 22. If both diameters of the thicker parts of the limb are equal in ratio to the same part 22, they must be of equivalent size and shape (pg.3, 1¶).
- A tapered part is provided between said reinforced large diameter part and said latch engaging part 22.

As to claim 7, Meritor Light Vehicle Systems Ltd. discloses a striker wherein:

- The length of said reinforced large diameter part is 25% or more of the length of said first leg part 18.

As to claim 8, Meritor Light Vehicle Systems Ltd. discloses a striker wherein:

- The length of said reinforced large diameter part is 30% or more of the length of said first leg part 18.

As to claim 9, Meritor Light Vehicle Systems Ltd. discloses a striker wherein:

- Said reinforced large diameter part has a length of twice or more the length of said rear caulking flange, in the longitudinal direction of said first leg part 18.

As to claim 10, Meritor Light Vehicle Systems Ltd. discloses a striker wherein:

- Said reinforced large diameter part has a length of triple or more the length of said rear caulking flange, in the longitudinal direction of said first leg part 18.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN3727960 to Uemura discloses a door locking means for a vehicle.

USPN4602813 to Gergoe discloses a striker assembly.

USPN4823059 to Compeau discloses a control apparatus.

USPN4976478 to Acciacca discloses a release mechanism.

USPN4981313 to Makamura discloses a striker.


USPN5209531 to Thau discloses a U-shaped striker with tapering sides.

USPN5215342 to Yuge discloses a lock striker unit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y. Ho whose email address is thomas.ho@uspto.gov and telephone number is (703) 305-4556. The examiner can normally be reached on M-F 9:30AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-3366.

TYH
October 2, 2002


ROBERT J. SANDY
PRIMARY EXAMINER